

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

FLORENCE WALLACE, ET AL	:	
	:	
Plaintiffs	:	3:09-CV-0286 (Caputo, J.)
	:	
vs.	:	
	:	
ROBERT J. POWELL, <i>et al.</i> ,	:	
	:	
Defendants	:	(Electronically Filed)
.....		
WILLIAM CONWAY, et al	:	
	:	
Plaintiffs	:	3:09-CV-0291
	:	
vs.	:	
	:	
MICHAEL T. CONAHAN, et al	:	
	:	
Defendants	:	
.....		
H.T., ET AL.,	:	
	:	
Plaintiffs	:	3:09-CV-0357
	:	
vs.	:	
	:	
MARK A. CIAVARELLA, JR. ET AL	:	
	:	
Defendants	:	
.....		
SAMANTHA HUMANIK,	:	
Plaintiff	:	3:09-CV-0630
	:	
vs.	:	
	:	
MARK A. CIAVARELLA, JR. ET AL	:	
	:	
Defendants	:	

**JUDICIAL DEFENDANT SANDRA BRULO'S MOTION TO
DISMISS ON THE BASIS OF JUDICIAL, QUASI-JUDICIAL AND
QUALIFIED IMMUNITY**

Defendant, Sandra Brulo, respectfully requests that this Court dismiss Plaintiffs' complaints as above-captioned (other than the H.T. Complaint in which she is not a named party) pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6) with prejudice and sets forth the following in support thereof:

1. Plaintiffs' extensive complaints, two of which are class actions, all involve challenges to various state court proceedings and acts of defendant Brulo in preparation for, or in attendance of, such proceedings in the Court of Common Pleas of Luzerne County in which the various juvenile plaintiffs and parents appeared before the Court after which the juveniles were adjudicated delinquent and subsequently placed in juvenile facilities by the Court.

2. Defendant Sandra Brulo at all times is charged in her capacity as Chief Probation Officer/Director of Forensics for the Luzerne County Probation Department, an arm of the Court of Common Pleas of Luzerne County.

3. Eleventh Amendment immunity and absolute and/or quasi-judicial immunity is a complete bar to plaintiffs claims for damages against Sandra Brulo in both her official and individual capacity.

4. This Court by Order dated May 12, 2009 provided that preliminary Motions to Dismiss regarding judicial immunity were to be filed on or before June 29, 2009.

5. The grounds for this motion are more fully set forth in the accompanying memorandum of law, which defendant Brulo incorporates herein by reference.

WHEREFORE, judicial defendant Sandra Brulo respectfully requests that this Court dismiss plaintiffs' complaints against her with prejudice.

Respectfully submitted,

s/Suzanne McDonough
Suzanne McDonough, Esquire
Attorney I.D. No. 29394
Holsten & Associates
One Olive Street
Media, PA 19063
(610) 627-8307